

**From:** Gary, Brent R. <BGary@ReedSmith.com>  
**Sent:** Friday, March 27, 2020 7:49 AM  
**To:** Campbell, Allen B <Allen.B.Campbell@wv.gov>  
**Cc:** Steven R. Compton <Steven.R.Compton@wvago.gov>; Boranian, Steven J. <SBoranian@ReedSmith.com>; ZZ-Callas, Gretchen <GCALLAS@jacksonkelly.com>; Porter, Luke S. <LPorter@reedsmith.com>; Sizemore, Justin M. <JSizemore@ReedSmith.com>  
**Subject:** RE: Huntington v. AmerisourceBergen, et. al. subpoena

Allen,

Thank you for your email. We understand your concerns and the difficulties DHHR and BCF are experiencing at this time due to the COVID 19 pandemic. As we discussed on the phone, we are committed to working with you and BCF to address the broadness/burdensome issues you expressed and we will reach back out to you shortly with a proposed time for another call early next week when we can discuss them. Thanks again for your attention to this subpoena.

Brent

**Brent R. Gary**  
**Reed Smith**<sub>LLP</sub>  
7900 Tysons One Place  
Suite 500  
McLean, Virginia 22102  
703-641-4338  
Fax 703-641-4340

**From:** Campbell, Allen B <[Allen.B.Campbell@wv.gov](mailto:Allen.B.Campbell@wv.gov)>  
**Sent:** Thursday, March 26, 2020 4:46 PM  
**To:** Gary, Brent R. <[BGary@ReedSmith.com](mailto:BGary@ReedSmith.com)>  
**Cc:** Sizemore, Justin M. <[JSizemore@ReedSmith.com](mailto:JSizemore@ReedSmith.com)>; Porter, Luke S. <[LPorter@reedsmith.com](mailto:LPorter@reedsmith.com)>; Steven R. Compton <[Steven.R.Compton@wvago.gov](mailto:Steven.R.Compton@wvago.gov)>; ZZ-Callas, Gretchen <[GCALLAS@jacksonkelly.com](mailto:GCALLAS@jacksonkelly.com)>; Robertson, April L <[April.L.Robertson@wv.gov](mailto:April.L.Robertson@wv.gov)>  
**Subject:** Huntington v. AmerisourceBergen, et. al. subpoena

EXTERNAL E-MAIL - From [Allen.B.Campbell@wv.gov](mailto:Allen.B.Campbell@wv.gov)

Gary,

I am glad we had an opportunity to discuss, in a preliminary fashion, the third party subpoena directed to DHHR's Bureau for Children and Families (BCF). As I explained in our telephone conference, BCF will not be able to respond to the subpoena by the date of return due to the public health crisis created by the COVID 19 epidemic. The Governor of West Virginia has issued a Stay at Home Order which affects the majority of state employees. While many of our employees are working from home, they are doing so with limited capabilities and diminished access to the types of information and data necessary to respond to the subpoena. Additionally, BCF management level staff are focused on ensuring vital services are maintained during this crisis. Consequently, please consider this email a request for an extension to respond and/or object to the document requests contained in the subpoena. As I noted this morning, many of the

requests appear to BCF to be overly broad and unduly burdensome and the relevant time frames appear to be disproportional to the litigation at hand. Given the exigencies of the COVID 19 pandemic and the resulting limits on staff and resources, it is uncertain if BCF would be able to comply with the subpoena as crafted by the end of your discovery cut off. I look forward to discussing these issues with you again next week. Should you have any questions, please do not hesitate to contact me.

B. Allen Campbell  
Senior Assistant Attorney General

The information contained in this electronic message may be legally privileged and confidential under applicable law and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify the West Virginia Office of the Attorney General, (304) 356-4797, and purge this communication immediately without making any copy or distribution.